



Crl.O.P.No.11127 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.11127 of 2025

Munusamy

..... Petitioner

Vs

1.The State Rep by,
The Inspector of Police,
All Women Police Station,
Pennagaram,
Dharmapuri District.
(Crime No.18/2019)

2.Deepa

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to call for the records in Charge Sheet in Spl.S.C.No.27 of 2020 on the file of the Sessions Judge, Fast Track Mahila Court, Dharmapuri and quash the same.

For Petitioner : Mr.D.Ramesh Kumar

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to quash the proceedings in Spl.S.C.No.27 of 2020 pending on the file of the Sessions



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Judge, Fast Track Mahila Court, Dharmapuri, thereby taken cognizance
for the offences under Sections 5(I), 5(j)(ii) r/w 6 and 9 of POCSO Act,
2012.

2. Pending this petition, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.

3. A Joint Memo of Compromise has been filed before this Court, signed by the petitioner and the second respondent/defacto complainant. It states that the 2nd respondent has now attained majority and is willing to continue the matrimonial life with the petitioner and they have two female children. All the parties are present and identified by the Police. In order to identify the respective parties, they have also produced the copies of the Aadhaar Card are made part of the record. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. It is seen that the victim, viz., the second respondent, has now attained majority and they are living together happily with their children.



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5. Under such circumstances, no useful purpose will be

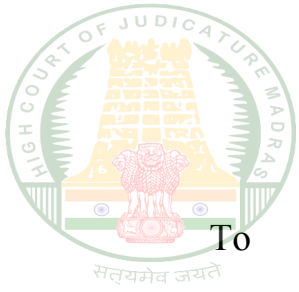
served in keeping the proceeding pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641- (Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrath)**, this Court in exercise of its jurisdiction under Section 528 of BNSS, 2023, quashes the proceeding in Spl.S.C.No.27 of 2020 pending trial on the file of the Sessions Judge, Fast Track Mahila Court, Dharmapuri.

6. In view of the above, the proceedings in Spl.S.C.No.27 of 2020 pending on the file of the Sessions Judge, Fast Track Mahila Court, Dharmapuri, is hereby quashed. The terms of Joint Memo of Compromise shall form part and parcel of this Order.

7. Accordingly, this Criminal Original Petition stands allowed.

16.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

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1. The Sessions Judge,
Fast Track Mahila Court,
Dharmapuri

2. The Inspector of Police,
All Women Police Station,
Pennagaram,
Dharmapuri District.

3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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